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TONY B. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 10-CR-00369-03
*
VERSUS * JUDGE DOHERTY
*
DAVID J. PREJEAN * MAGISTRATE JUDGE HANNA

**AFFIDAVIT OF UNDERSTANDING OF MAXIMUM PENALTY
AND CONSTITUTIONAL RIGHTS**

I, DAVID J. PREJEAN, the above named defendant, having been first duly sworn and placed under oath by the Clerk or his Deputy of the United States District Court, state that I have been advised and personally addressed by the Court (Judge) as to the nature of the charge against me, and, having been furnished a copy of the charge, hereby state that I understand the charge and that the Court has addressed me personally as to the maximum possible penalty that may be imposed against me, as follows:

PENALTY:

Count 1: Imprisonment of not less than ten (10) years or more than life, a fine of up to \$4,000,000, or both, a period of supervised release of not less than five (5) years following confinement, and a special assessment of \$100.00;

I further state that I understand and the Court has addressed me personally at the arraignment proceeding as to:

1. My right to be represented by counsel (a lawyer) of my choice, or if I cannot afford counsel, my right to be represented by Court-appointed counsel at no cost to me.
2. My right to have a jury trial with twelve jurors who must all agree as to my guilt in order to convict.
3. My right not to be required to testify against myself, or at all, if I do not so desire.

Affidavit of Understanding of Maximum Penalty and Constitutional Rights
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4. My right to confront and cross-examine witnesses against me and my right to have compulsory process to require witnesses to testify.

5. My right to plead guilty or not guilty.


I realize that by pleading guilty I will stand convicted of the crime charged and thereby waive my privilege against self-incrimination, my right to jury trial, my right to confront and cross-examine witnesses, and my right of compulsory process.

I further state that my plea in this matter is free and voluntary, and that it has been made without any threats or inducements whatsoever from anyone associated with the State or United States Government, and that the only reason I am pleading guilty is that I am in fact guilty as charged. The Court has given me the opportunity to make any statement desired.

Sworn to and subscribed before me this 13 day of July, 2011 in Open Court in Lafayette, Louisiana.



DAVID J. PREJEAN
Defendant



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